



NEWS RELEASE

CALIFORNIA SECRETARY OF STATE **BRUCE McPHERSON**

BM06:038

FOR IMMEDIATE RELEASE
Friday, March 31, 2006

Contact: Nghia Nguyen Demovic
916-653-6575

Secretary of State Bruce McPherson Proposes Legislation to Help Ensure Voter Access for All Eligible Californians and Protect Against Voter Fraud

SACRAMENTO, CA - Today Secretary of State Bruce McPherson announced that he plans to introduce legislation to improve current state law and help to ensure that all eligible voters will be provided the opportunity to register, vote and have their votes counted on election day. Beginning with elections in 2006, new law requires the implementation of a statewide voter registration database and that the voter's identity is verified when registering or re-registering to vote.

Under Secretary McPherson's new proposal, the voter's identity would still need to be verified. This would serve as a "clean-up" to current law SB 1016 (Bowen) to provide some commonsense flexibility for the county elections officials when complying with these new requirements.

"California's statewide voter registration database complies fully with current federal and state law, and is designed to limit voter fraud and strengthen the integrity of the elections process," said McPherson. "I will continue to do everything in my power to make sure that is the case, even if that means working to change current California law."

"Secretary McPherson's proposal is a commonsense approach to help ensure that eligible voters are registered and able to vote on election day," said John Arntz, Director of Elections for the City and County of San Francisco. "His solution is an important relief for counties in this transition period."

Current law SB 1016 (Bowen) requires that when voters register or re-register to vote, they must provide a California driver's license number or California identification number if one has been issued. If one has not been issued they must provide the last four digits of their social security number. If the voter does not provide a driver's license number, but all of their personal information matches exactly with a Department of Motor Vehicles (DMV) record, the voter must still be personally contacted to again confirm their identity. Local county elections officials have indicated that in this case, current technology allows for verification of the voter's identity without this additional step of contacting the voter.

Some county election officials have indicated the additional workload of contacting each voter could result in some voters not becoming registered to vote in time for election day, even if they are eligible and their identity has been verified. Secretary McPherson's

-more-

proposal would mean that if all other personal information provided by the voter matches a single DMV record, the voter will now not need to be personally contacted and will become a registered voter if all required information is valid and complete.

"I've listened to the concerns that dedicated county elections officials have about current state law," continued McPherson. "That is why I'm proposing this legislation to improve current state law. This fix will help to ensure access to eligible voters while still providing safeguards against voter fraud. I look forward to working with the legislature on this commonsense solution."

Specifically, if enacted, the legislation would amend current state law, Elections Code 2154 to read:

(e)(1) If the affiant fails to provide a driver's license number, and an electronic process established to verify information with the records of the Department of Motor Vehicles identifies only one individual who possesses the last name, first name, and date of birth of the affiant, the driver's license number of that individual shall be presumed to be the driver's license number of the affiant for purposes of paragraph (7) of subdivision (a) of Section 2150 and Section 303(a)(5) of the Help America Vote Act of 2002 (P.L. 107-252).

(2) The rebuttable presumption described in paragraph (1) may be applied to an affiant regardless of whether that affiant provides the last four digits of his or her Social Security number.

To ensure that every eligible voter receives necessary election information and is permitted to cast a ballot and have their vote counted, Secretary McPherson is taking additional steps:

- He is encouraging county elections officials to send sample ballot pamphlets to all voters, even if they are missing necessary information on their registration card.
- If any voter arrives at their polling place on election day and their name is not on the roster, he or she must be able to vote a provisional ballot.
- Secretary McPherson is providing local elections officials guidelines and methods to expedite the verification process.
- Secretary McPherson is offering the full resources of his office to provide training and technical support to assist counties in this transition period.
- Secretary McPherson has proclaimed that April is "Voter Education and Participation Month," and is launching a month long, statewide coordinated effort to educate California's voters about these new federal and state requirements.

"I join with my partners, the county elections officials, to urge all Californians to remember to completely fill out their voter registration card, including California driver's license or ID number if they have them. If they have not been issued either of these, they must provide the last four digits of their Social Security number, if they have been issued one. Providing all necessary information will avoid complications when registering to vote," concluded McPherson.